



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,420	10/17/2000	Kenji Ikeda	2933SE-92	4307
22442	7590	05/07/2004	EXAMINER	
SHERIDAN ROSS PC 1560 BROADWAY SUITE 1200 DENVER, CO 80202			CRUZ, LOURDES C	
			ART UNIT	PAPER NUMBER
			2827	

DATE MAILED: 05/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/691,420	Applicant(s) IKEDA ET AL.	
	Examiner Lourdes (Elle) Cruz	Art Unit 2827	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 17 October 2000.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-7 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-7 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on 17 October 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All b) ☐ Some * c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 10.

4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the claimed length that is more than the length of the cavity and a width that is less than the width of the cavity, and the color filter stuck on the chip must be shown or the features canceled from the claims. No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka (US4710797).

Tanaka discloses (See cover Figure):

(Claims 1 and 4) A package structure having a solid-state image sensor chip 4 and a color filter stuck on a light receiving surface of the chip (see that the chip is EPROM and part of light sensitive structure/device), the package structure comprising: a vessel (15) for packaging the solid state image sensor chip ; an

Art Unit: 2827

optically transparent protection plate (14) attached to the vessel to cover the light receiving surface of the chip; and a resin layer (13) arranged between the chip and the protection plate to absorb light having a predetermined wavelength (Col. 2, lines 60+).

(Claims 2,5) The package structure above wherein the resin layer absorbs light having a wavelength shorter than the wavelength of visible light (Col. 2, lines 60+).

(Claims 3,6) The package above wherein the vessel includes a cavity having a predetermined length and width to receive the chip (see that the claims define that the cavity is as big as it is required by the chip), the protection plate having a length that is that is greater than length cavity and a width that is less than the width of the cavity (see that 14 is not as wide as the cavity required by the chip. Also see that 14 is as long as the encapsulant which is inherently longer than the chip, hence 14 is longer than wider than the cavity REQUIRED by the chip).

(Claim 7) The image sensor package above wherein the protection plate 14 is fixed to the vessel (to the sides of 14) so as to form a gap between the protection plate and the cavity (filled by 13), the resin layer being partially exposed by the gap (See that the resin is exposed in as much as the claims specifies what exactly it is that the resin is exposed to; for example see that the prior art's resin is exposed to the chip, the chip pad 11, the sides of 15, and the plate 14).

Art Unit: 2827

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lourdes (Elle) Cruz whose telephone number is (571) 272-1928. The examiner can normally be reached on M-F 6:30-3:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kammand Cuneo can be reached on (571) 272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Elle Cruz

Lourdes (Elle) Cruz
Examiner
Art Unit 2827


KAMMAND CUNEO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800